PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE cond to a collection of information upless it displays a unit OMD action.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Filing Date 09/05/2003 First Named Inventor Hassan Mostafavi Art Unit 3737 Examiner Name Baisakhi Roy Total Number of Pages in This Submission -8. Attorney Docket Number CA7031422001 Fee Transmittal Form	TRANSM	Application Numbe	r	10/655,92	0				
Examiner Name Baisakhi Roy	TRANSM		ı	Filing Date		09/05/2003			
Examiner Name Baisakhi Roy	TIN E FOR	IVI		First Named Invent	or	Hassan M	lostafavi		
Examiner Name Baisakhi Roy	So and the second			Art Unit		3737			
Total Number of Pages in This Submission -8- Attorney Docket Number CA7031422001 Fee Transmittal Form Drawing(s) After Allowance Communication to TC Appeal Communication to Board of Appeals and Interferences Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC Appeal Communicati	A STATE OF THE STA	dence after in	nitial filing)	Examiner Name		Baisakhi F	Roy		
Fee Transmittal Form				Attorney Docket No	ımber	CA703142	22001		
Fee Transmittal Form		ENCLOSURES (check all that apply)							
Fee Attached	Fee Transmittal Form					After Allo	wance Communication to TC		
Amendment / Reply	Fee Attached	j	Licensing	-related Papers	·		L L		
After Final Aftidavits/declaration(s) Aftidavits/declaration(s) Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request Request for Refund CD, Number of CD(s) Remarks CD, Number of CD(s) Remarks Cothfided Copy of Priority Document(s) Reply to Missing Parts under 37 CFR1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Bingham McCutchen LLP Signature Provisional Application Request for Refund CD, Number of CD(s) Landscape Table on CD Remarks SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Bingham McCutchen LLP Signature Printed Name Gerald Chan Date July 28, 2006 Reg. No. S1,541 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facisinile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature Aura C. Huntungpoor Aura C. Huntungpoor Provisional Application Status Letter Other Enclosure(s) (please identify below): 1. Return Postcard. 2. Form PTO/SB/08B (2 2-2-2-2-2) 3. A copy of the International Search Report. Status Letter Other Enclosure(s) (please identify below): 1. Return Postcard. 2. Form PTO/SB/08B (2 2-2-2-2-2) 3. A copy of the International Search Report. Provisional Ppick Contents Status Letter Other Enclosure(s) (please identify below): 1. Return Postcard. 2. Form PTO/SB/08B (2 2-2-2-2-2-2) 3. A copy of the International Search Report. Provisional Ppick Contents Status Letter Cother Contents Status Letter 1. Return Postcard. 2. Form PTO/SB/08B (2 2-2-2-2-2-2-2) 3. A copy of the International Search Report. 1. Return Postcard. 2. Form PTO/SB/08B (2 2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-2-	☐ Amendment / Reply		Petition		İ				
Affidavits/declaration(s)	After Final				İ	Proprieta	ry Information		
Extension of Time Request Express Abandonment Request Request for Refund CD, Number of CD(s) 2, Form PTO/SB/08A and PTO/SB/08B (2 pages). 3. A copy of the International Search Report. Remarks Affidavits/declaration	(s)			ress	Status Le	etter			
Express Abandonment Request Information Disclosure Statement (5 pages) Certified Copy of Priority Document(s) Reply to Missing Parts Incomplete Application Reply to Missing Parts Under 37 CFR1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Bingham McCutchen LLP Signature Printed Name Gerald Chan Date July 28, 2006 Reg. No. Tertificate Or Transmits Sion/MalLing I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature Auva Q. Auvaturgativ	Extension of Time Reque	est	Terminal Disclaimer						
CD, Number of CD(s)	Express Abandonment R	Request	Request for Refund		2. Form PTC				
Information Disclosure Statement (5 pages)			CD, Number of CD(s)			the International Search			
Certified Copy of Priority Document(s) Remarks	l 	State-				*			
Reply to Missing Parts Incomplete Application Reply to Missing Parts under 37 CFR1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm	Certified Copy of Priority	Ī	Remarks						
Incomplete Application Reply to Missing Parts under 37 CFR1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Bingham McCutchen LLP Signature Orinted Name Gerald Chan Date July 28, 2006 Reg. No. 51,541 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature Signature	l _								
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Bingham McCutchen LLP Signature Gerald Chan Date July 28, 2006 Reg. No. 51,541 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature Aura Q. Hunturatory									
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Bingham McCutchen LLP Signature Gerald Chan Date July 28, 2006 Reg. 51,541 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature Aura Q. Auntumpor			,				·		
Signature Printed Name Gerald Chan Date July 28, 2006 Reg. No. 51,541 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature	under 57 Of ICT.52 C								
Signature Printed Name Gerald Chan Date July 28, 2006 Reg. No. 51,541 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature		SIGN			KNEY, OF	R AGENT_			
Printed Name Gerald Chan Date July 28, 2006 Reg. No. 51,541 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature	Firm		Bingham M	lcCutchen LLP					
Date July 28, 2006 Reg. No. 51,541 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature	Signature		Cres	mll	<u>e-</u>				
CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature	Printed Name Gerald Cha			an					
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature	Date July 28, 20			06		51,541			
Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature Signature			CERTIFICA	TE OF TRANSMISS	ION/MAI	LING			
Signature Laura a. Auntingrow	Service with sufficient posta	Service with sufficient postage as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for							
	Typed or printed name			0		Date	July 28, 2006		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below

aura A. Huntington

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Hassan MOSTAFAVI

Serial No.: 10/655,920

Filing Date: September 5, 2003

For: SYSTEMS AND METHODS FOR GATING

MEDICAL PROCEDURES

Confirmation No.: 8620

Examiner: Baisakhi Roy

Group Art Unit: 3737

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the item identified in this Supplemental Information Disclosure Statement (IDS) is being brought to the attention of the Office. The item is listed on the attached forms PTO/SB/08A and PTO/SB/08B. The Examiner is requested to make this document of record.

The item identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant(s) is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant(s) as such.

1. Timing of the Information Disclosure Statement:

\boxtimes	This ID	S is believed to be timely in that it is being submitted under 37 CFR § 1.97(b),
that is	(1) with	the new patent application submitted herein (37 CFR § 1.97(a)); or (2) within
three r	nonths	of the filing date of the application, which is not a continued prosecution
applica	tion file	d under § 1.53(d) or (3) within three months of entry of the national stage as set
forth in	37 CF	R § 1.491; or (4) before the mailing of a first Office action on the merits; or
(5) befo	ore the	mailing of a first Office action after filing a request for continued examination
under §	1.114.	Thus, no fee is required.
		However, if the undersigned is in error in this regard, Applicant(s) respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.
		However, if the undersigned is in error in this regard, Applicant(s) respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
	This ID	OS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office
Action	on the	merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance
under 3	37 CFR	§ 1.311.
		Charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.
		The fee due under 37 CFR § 1.17(p) is being concurrently submitted with the filing of an electronic IDS submission. Thus, no additional fee is required.
		A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant(s) respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.
	This ID	OS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under
37 CFF	R § 1.11	13 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the
issue f	ee. A	statement under 37 CFR § 1.97(e) is included below. Charge the fee due under
37 CFF	R § 1.17	7(p) to the deposit account referenced below.

This IDS is being submitted under 37 CFR § 1.97(i), that is after a Final Action under
37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the
issue fee.
STATEMENT UNDER 37 CFR § 1.97(e):
That each item of information contained in the IDS was first cited in any communication
from a foreign patent office in a counterpart foreign application not more than three months
prior to the filing of the IDS; or
That no item of information contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of the IDS.
2. Copies of the Cited Items:
Copies of all of the items listed on the attached form PTO/SB/08B are enclosed.
Copies of only the following items listed on the attached forms PTO/SB/08A (Item Nos. *) and PTO/SB/08B (Item Nos. *) are enclosed.
A copy of the following items listed on the attached form PTO/SB/08A (Item No. 1 - 5) is not enclosed. See 37 CFR 1.98(a)(2)(i).
Copies of the following documents listed in PTO/SB/08A (Item Nos. *) and PTO/SB/08E (Item Nos. *) are not supplied as they were previously cited by the Office or submitted in Information Disclosure Statements in related applications (Application No. *, filed *) and relied upon in this application for an earlier filing date under 35 USC § 120. See 37 CFR § 1.98(d) The Examiner is requested to make these documents of record.
Copies of the following items listed on the attached forms PTO/SB/08A (Item No. 2) and PTO/SB/08B (Item No. 1) were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

3. Concise Explanation of Relevance:

PTO/SB/08B is not given.

A concise explanation of relevance of [some of] the items listed on forms PTO/SB/08A and PTO/SB/08B is in the form of an English language copy of a Search Report from a foreign

patent office, issued in a counterpart application, which refers to the relevant portions of the

A concise explanation of relevance of the items listed on forms PTO/SB/08A and

references (copy attached).

4. Related Applications:

Applicant(s) brings to the Office's attention the following related application(s): U.S. Patent Application No. 10/656,478 filed September 5, 2003 and U.S. Patent Application No. 10/656,063 filed September 5, 2003.

5. Conclusion:

 \boxtimes

Citation of the above documents shall not be construed as:

- 1. an admission that the documents are necessarily prior art with respect to the instant invention;
- 2. a representation that a search has been made, other than as described above; and
- an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited reference by returning a copy of the attached forms PTO/SB/08A and PTO/SB/08B with initials or other appropriate marks. In the unlikely event that the transmittal letter is separated from this document and the U.S. Patent Office determines that an extension and/or other relief is required, Applicant(s) petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to <u>Deposit Account No. 50-2518</u>, referencing

<u>7031422001</u>. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted, Bingham McCutchen LLP

Dated: 7/28/06

Gerald Chan

Registration No. 51,541

Bingham McCutchen LLP

3 Embarcadero Center San Francisco, California 94111 Telephone: (650) 849-4960

Facsimile: (650) 849-4800

PTO/SB/08a (08-03) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute	for form TARRANTE	EN		Complete if Known		
				Application Number	10/655,920	
INFO	RMATION	DIS	CLOSURE	Filing Date	September 5, 2003	
STATEMENT BY APPLICANT				First Named Inventor	Hassan Mostafavi	
				Art Unit	3737	
	(Use as many she	ets as	necessary)	Examiner Name	Baisakhi Roy	
Sheet	1	of	2	Attorney Docket Number	VM7031422001	

			U.S. PATENT	DOCUMENTS		
Examiner	Cite	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant	
Initials *	No. ¹	Number - Kind Code ² (if known)	MM-DD-YYYY		Passages or Relevant Figures Appear	
	1	US- 4,672,651	06/09/1987	Horiba et al.		
	2	US- 5,573,012	11/12/1996	McEwan		
	3	US- 6,940,945 B2	09/06/2005	Maschke		
	4	US- 7,003,146 B2	02/21/2006	Eck et al.		
********	5	US- 2005/0054916 A1	03/10/2005	Mostafavi		
		US-		·		
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-				
		US-		<u> </u>	·	
		US-				
		US-				
	1	US-				

	FOREIGN PATENT DOCUMENTS								
Examiner Cite No.1	Cito	Foreign Patent Document		Name of Patentee or	Pages, Columns, Lines, Where Relevant				
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T⁰			
									
		,							
-									

Examiner Signature	Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \(^1\) Applicant's unique citation designation number (optional). \(^2\) See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. \(^3\) Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \(^4\) For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \(^5\) Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \(^6\) Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute	e for form 1449B/PT	0		Complete if Known			
				Application Number	10/655,920		
	RMATION			Filing Date	September 5, 2003		
STA	TEMENT B	BY APF	PLICANT	First Named Inventor	Hassan Mostafavi		
				Art Unit	3737		
	(Use as many sh	eets as nec	essary)	Examiner Name	Baisakhi Roy		
Sheet	2	of	2	Attorney Docket Number	VM7031422001		

	NON PATENT LITERATURE DOCUMENTS						
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					
	1	International Search Report, dated January 30, 2006 for PCT/US2004/028571).					
<u>-</u>		·					
- 1							
·····							
		·					

Examiner	Date	
Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation in not in conformance and not considered. Include copy of this form with next communication to applicant:

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.